

BEFORE THE TENNESSEE REGULATORY AUTHORITY AT

NASHVILLE, TENNESSEE

January 24, 2003

IN RE:

**SMALL TELEPHONE COMPANIES TARIFF FILINGS
REGARDING RECLASSIFICATION OF PAY
TELEPHONE SERVICE AS REQUIRED BY FEDERAL
COMMUNICATIONS COMMISSION DOCKET 96-128**

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**DOCKET NO.
97-01181**

**ORDER ACCEPTING WITHDRAWAL OF TARIFFS
FILED BY CROCKETT TELEPHONE COMPANY, INC.,
PEOPLES TELEPHONE COMPANY, INC. AND
WEST TENNESSEE TELEPHONE COMPANY, INC.**

This matter came before Chairman Sara Kyle, Director Deborah Taylor Tate, and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this docket, at the regularly scheduled Authority Conference held on January 6, 2003, for consideration of the request to withdraw the tariff filings by Crockett Telephone Company, Inc., Peoples Telephone Company, Inc. and West Tennessee Telephone Company, Inc. (collectively the "TEC Companies"), filed on December 4, 2002.¹

On September 26, 2002, the Pre-Hearing Officer issued a Notice requiring each independent local exchange carrier ("LEC") that is a party to this action to file no later than October 14, 2002 comments and rate proposals for the provisioning of payphone access services to payphone service

¹ The TEC Companies filed the tariffs on November 4, 2002 with a proposed effective date of November 5, 2002 for implementation of the tariffs. Notwithstanding the proposed effective date selected by the TEC Companies, Authority Rule 1220-4-1-.04 requires public utilities to give the Authority at least thirty (30) days notice prior to implementation of tariff proposals such as those under consideration in this docket. Authority Rule 1220-4-1-.04 states, "Except as hereinafter provided, all tariffs, rate schedules or supplements thereto containing any change in rates, tolls, charges or rules and regulations must be filed with the [Authority] at least thirty (30) days before the effective date of such changes, unless upon application and for good cause shown the [Authority] may waive the thirty day time limit or any portion thereof."

providers. Responses to this filing were due on October 24, 2002.

On October 9, 2002, the Coalition of Tennessee Small Local Exchange Companies ("Coalition") filed the *Request of Coalition of Tennessee Small Local Exchange Companies for Extension of Time to File Comments and Rate Proposals as Directed by Notice of Filing Dated September 26, 2002* ("Request"). The Request sought an additional twenty (20) days in which to file comments.²

On October 14, 2002, the Pre-Hearing Officer granted the Coalition's Request, directing the independent LECs to file their comments, rate proposals and justifications for rates no later than November 4, 2002. On November 1, 2002 the Coalition and the TPOA jointly filed the *Agreed Motion for Continuance*, requesting an extension of time until November 11, 2002 to file comments, rate proposals and justifications.

On November 4, 2002, consistent with the September 26, 2002 Notice, the TEC Companies filed the tariffs that are the subject of this Order. On November 4, 2002, the Pre-Hearing Officer issued an Order granting the *Agreed Motion for Continuance* and directing the parties to file comments, rate proposals and justifications for rates no later than November 12, 2002.

On November 12, 2002, the Coalition and the TPOA jointly filed the *Agreed Motion to Suspend Procedural Schedule*, requesting that the November 12, 2002 deadline for filing comments, rate proposals and justifications for rates be suspended indefinitely to allow for additional settlement negotiations. The Pre-Hearing Officer scheduled a Pre-Hearing Conference on November 25, 2002.

² The Coalition consists of the following companies: Ardmore Telephone Company, Inc., the CenturyTel Inc. Companies in Tennessee (including CenturyTel of Adamsville, Inc., CenturyTel of Claiborne, Inc. and CenturyTel of Ooltewah-Collegedale, Inc.), Loretto Telephone Company, Inc., the TDS Telecom Companies in Tennessee (including Concord Telephone Exchange, Inc., Humphreys County Telephone Company, Tellico Telephone Company, Inc. and Tennessee Telephone Company), the Telephone Electronics Corp. ("TEC") Companies in Tennessee (including Crockett Telephone Company, Inc., Peoples Telephone Company, Inc. and West Tennessee Telephone Company, Inc.) and United Telephone Company, Inc. Millington Telephone Company is not a member of the Coalition.

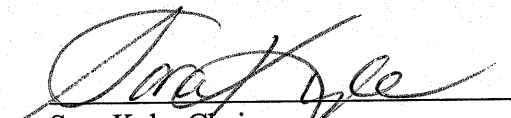
On November 25, 2002, the Pre-Hearing Officer convened the Pre-Hearing Conference to address the issues raised in the *Motion to Suspend Procedural Schedule*. To accommodate the parties' settlement negotiations, the Pre-Hearing Officer temporarily suspended the procedural schedule until December 13, 2002.

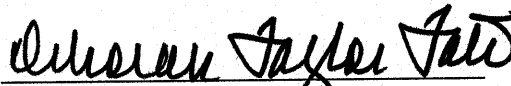
At the December 2, 2002 Authority Conference, the panel determined that the interests of administrative economy and consistency required the TEC Companies' rate proposal to be considered simultaneously with the rate proposals of the Coalition. The panel unanimously voted to defer action on TEC Companies' payphone tariff filing for ninety (90) days, from November 5, 2002 through February 2, 2003. On December 4, 2002, the TEC Companies notified the Authority of their intent to withdraw the tariffs filed on November 4, 2002.

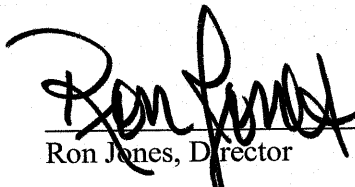
At the regularly scheduled Authority Conference held on January 6, 2003, the panel addressed the TEC Companies' unopposed request to withdraw their tariffs. Upon consideration of TEC Companies' request and the entire record in this matter, the Directors voted unanimously to approve the withdrawal of the TEC Tariffs.

IT IS THEREFORE ORDERED THAT:

The request to withdraw the tariff filings of Crockett Telephone Company, Inc., Peoples Telephone Company, Inc. and West Tennessee Telephone Company, Inc. is approved.


Sara Kyle, Chairman


Deborah Taylor Tate, Director


Ron Jones, Director